

# **District Attorney Jonathan W. Blodgett**



## **2008 Calendar**

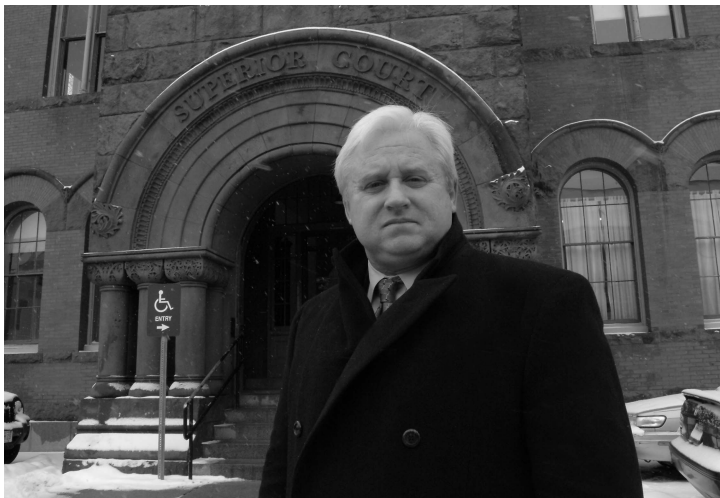
Office of the Essex District Attorney 10 Federal Street Salem, MA 01970  
[www.mass.gov/essexda](http://www.mass.gov/essexda)

# About the District Attorney's Office

The primary role of my office is to prosecute criminal acts that occur within the 34 cities and towns of Essex County. Each year, my staff of 175 Assistant District Attorneys, Victim Witness Advocates, Juvenile Justice Coordinators, State Police investigators, Child Abuse investigators and support staff handle nearly 30,000 cases. These cases range from simple assaults to homicides. Our objective is swift and fair justice while providing critical services to crime victims and their families.

While prosecution is our primary function, I am a strong proponent of prevention and early intervention efforts to prevent crime. For this reason, my Juvenile Justice Unit and my Community Awareness and Prevention Team work closely with schools, community organizations, social service agencies, law enforcement and others to develop programs that encourage young people to make good decisions, provide parents with information to better guide their children and empower senior citizens to protect themselves.

While police and prosecutors play an important role in keeping our communities safe, everyone can contribute. Schools can offer programs to students and parents on bullying, internet safety and drug prevention. Faith community leaders can learn about domestic violence to better counsel victims, batterers and the children who witness it. Coaches can talk to their players about the dangers of drugs and alcohol and be one more caring adult in the life of a teen. Employers can offer Lunchtime Info Breaks to their employees to help working parents learn basic information about internet safety and illegal drugs. Community groups and individuals can participate in TRIAD which is a partnership among the local Council on Aging, my office and the Sheriff's Department to help keep senior citizens safe.



Wishing you a safe and successful New Year,

# January 2008

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# The Court System

Criminal cases are handled in one of three levels in the Massachusetts Court System – district, superior or juvenile court. In Essex County there are eight District Courts (Gloucester, Haverhill, Ipswich, Lawrence, Lynn, Newburyport, Peabody and Salem), three Superior Courts (Lawrence, Newburyport and Salem) and three Juvenile Courts (Lawrence, Lynn and Salem).

Superior Court has jurisdiction over all crimes and handles major felony crimes. The Superior Court can impose state prison or house of correction sentences for periods up to life. In most cases, prosecutors must first present their case to a Grand Jury which then must determine whether there is enough evidence against an individual to indict that person. If the Grand Jury votes to indict, the case proceeds to Superior Court.

District Court handles most of the criminal cases. District Court judges may impose House of Correction sentences for no more than two and a half years on any single offense. Misdemeanor cases are brought as a result of an arrest, or when the Clerk Magistrate issues a criminal complaint in response to a complaint filed by a police officer or private citizen. Defendants in District Court may have their cases heard by a judge or a jury of 6 persons.

Juvenile Courts have jurisdiction over children under the age of 17, children in need of services (CHINS), care and protection petitions, adult contributing to a delinquency of a minor cases, adoption, guardianship, termination of parental rights proceedings, and youthful offender cases.

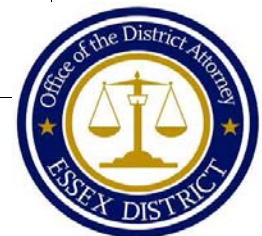


# February 2008

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# Community Awareness & Prevention Team

The Community Awareness and Prevention Team was created by District Attorney Jonathan W. Blodgett in January 2003. The program stems from the D.A.'s extensive community involvement and belief that by working together, community organizations and leaders can accomplish more and use resources more efficiently. District Attorney Blodgett is implemented this effort to effectively marshal the collective resources of the communities of Essex County to fight and prevent crime. CAPT serves as a liaison between the District Attorney's Office and community leaders. Members of the team meet regularly with police, school officials, faith organizations, business leaders, local elected officials, advocacy groups and others to discuss concerns, existing programs and needs. In this way, the team ensures that efforts are not duplicated and that the resources of the District Attorney's Office are used effectively and efficiently to address the specific needs of each community.

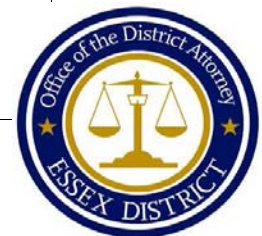
CAPT represents the District Attorney's Office in TRIAD – a collaboration among law enforcement agencies and senior citizens to empower seniors and help keep them safe. TRIAD is currently operating in 30 of the 34 communities in Essex County. TRIAD programs include the File of Life, the Yellow Dot program, emergency cell phones, mock trials on scams, identity theft prevention, senior abuse awareness, photo ids and emergency grab and go bags.

CAPT also represents the District Attorney's Office on community domestic violence roundtables, conducts outreach to elected officials, local law enforcement, clergy, schools, service organizations and others. Working with Juvenile Justice and Victim Witness Services, CAPT organizes trainings on domestic violence, internet safety, drug and alcohol prevention, teen dating violence, gangs, and bullying.

# March 2008

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# Domestic Violence

Domestic violence is a major concern of the Essex District Attorney's Office because it is so prevalent in our communities. This Office's response illustrates how the various units of the Office work together to address an issue. First and foremost, crimes of domestic violence are prosecuted by the Family Crimes & Sexual Assault Unit. Working together, prosecutors, victim-witness advocates, and investigators build the case. In the Lynn and Lawrence District Courts, specialized Domestic Violence Units handle the large volume of these cases with expertise and sensitivity.

Working with the Victim Witness Services Unit, the Community Awareness and Prevention Team sits on four active domestic violence roundtables in Gloucester, Saugus, Lynn, and Wenham. These roundtables are coalitions of concerned citizens and professionals seeking to more effectively help victims in their communities and raise awareness of the problem.

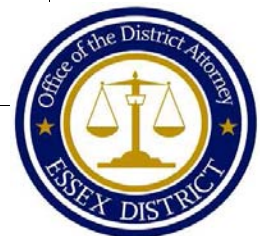
In addition, Victim Witness Services, Community Awareness and Prevention and Juvenile Justice work together to address the growing teen dating violence problem. Currently, the Office offers schools and youth agencies a brochure that describes teen dating violence and provides a list of resources for more information and help. Plans are being made to offer school-based staff a training on teen dating violence, how to recognize it, what to do about it and how to prevent it.



# April 2008

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# Essex County Child Abuse Prevention Project



In response to the ever-growing problems faced by sexually and physically abused children, Essex County District Attorney Jonathan W. Blodgett utilizes the Essex County Child Abuse Project (ECCAP), an innovative multidisciplinary response to the investigation of child abuse allegations. The Project coordinates county-wide, interagency cooperation between all 34 police departments, the State Police Detectives, four area Department of Social Service (DSS) offices, local mental health centers, medical facilities and the District Attorney's Office.

The sensitive nature of these difficult cases has warranted special attention and knowledge reaching

beyond that which any one professional can provide during the initial screening and investigation phase. The multidisciplinary team investigation approach, proposed and supported by the Massachusetts District Attorneys and the Department of Social Services, addresses the critical therapeutic needs of victims and makes every effort to avoid re-traumatization and re-victimization during the investigative phase. In addition, a primary goal is to promote a coordinated system response to child abuse within Essex County.

ECCAP Staff regularly conducts trainings to mandated reporters of child abuse on their responsibilities under MGL Chapter 119 sec. 51A. These trainings range from staff meetings at a particular school to county-wide trainings targeted to pre-schools and day care centers. The trainings are offered to mandated reporters free of charge.

# May 2008

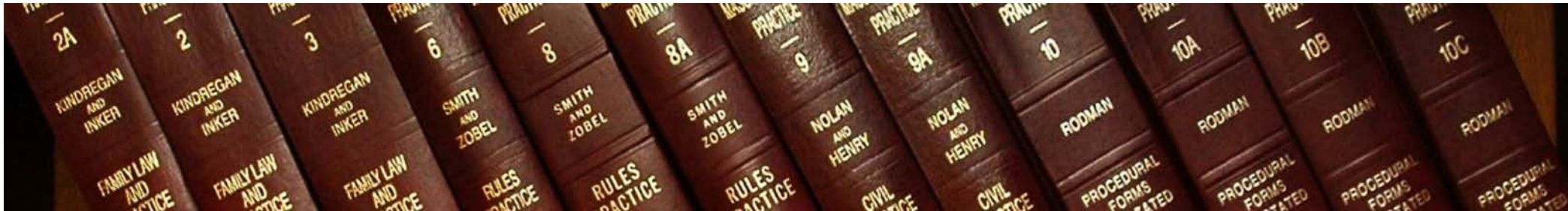
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# Family Crimes & Sexual Assault Unit

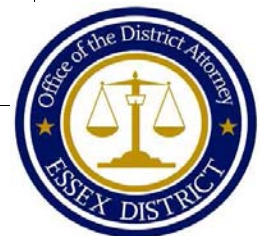
The Family Crimes & Sexual Assault Unit is made up of Assistant District Attorneys, Victim-Witness Advocates, Forensic Interviewers and Police Investigators. The Unit is dedicated to providing specialized investigative approaches, assessment tools, prosecution strategies, and victim-witness services for crimes involving sexual assault, domestic violence, child abuse, elder abuse and disabled persons abuse. The Unit works closely with the Department of Social Services, Elder Services Agencies and the Disabled Persons Protection Commission.



# June 2008

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# Jury Duty

The Framers of the United States Constitution considered both the right to a jury trial and the performance of juror service as sacred and necessary to preserve individual freedom. Juror service was, and still is, viewed as a duty and privilege of citizenship, and as a necessary check against government use of the courts to wrongly convict the innocent. The right to trial by jury is guaranteed by the constitutions of the Commonwealth of Massachusetts and the United States of America. Over two hundred years later, the jury system continues to serve a vital role in our democracy.



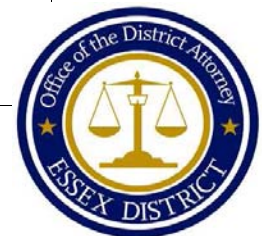
A trial jury is composed of either 12 jurors plus 2 alternates or 6 jurors plus 1 alternate. It consists of citizens brought together to listen to evidence presented by both the prosecution and defense in the matter of a criminal proceeding, plaintiff or defendant in a civil trial. A trial jury concerns itself only with the issues at hand for a particular trial. During the deliberation process at the end of the trial, the jurors sort out the facts and apply the law as given them by the court. The result of a trial jury's deliberations is called a verdict: the determination that the defendant's guilt has been proven beyond a reasonable doubt or not, or a finding for the plaintiff or defendant in a civil case.

A grand jury is composed of 23 members that listen to evidence presented by the prosecutor. Its function is to consider this evidence, then decide if it rises to a level sufficient to indict (bring a criminal charge against) a person or corporation. The grand jury does not decide the guilt or innocence of the accused; rather, it decides if there is probable cause to bring the accused to trial. Thus, the grand jury's work is a pre-trial function of the court.

# July 2008

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# Juvenile Justice Program

District Attorney Jonathan Blodgett's Juvenile Justice Program is intended to balance strong prosecution with appropriate prevention services, thereby providing an effective response to juvenile crime in Essex County. Juvenile Justice Units are well established in all Essex County Juvenile and District Courts, reviewing all juvenile cases for appropriate placement from Priority Prosecution to Juvenile Diversion. The Juvenile Diversion Program is an innovative model which works with certain first-time, nonviolent offenders, ages 7-17, and their families by offering an alternative to the Juvenile Court System. The Juvenile Diversion Program is based on the widely accepted belief that not all cases are best handled through a formal delinquency complaint and court hearing. One of the key advantages of the Juvenile Diversion Program is that it allows judges and prosecutors to focus on more serious juvenile crime by diverting first-time, nonviolent offenders from the court system and providing them and their families with needed services.

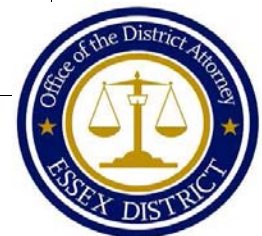
The Program provides participants the opportunity to receive services in lieu of going through the traditional court process. Parents and guardians sign a contract wherein they agree to participate in counseling or an educational group, perform community service, and in some cases, pay restitution. Participants are then referred to counseling agencies where they undergo an assessment to determine if either individual or group counseling sessions are appropriate. Conflict resolution, violence prevention, peer pressure and high risk activities, such as alcohol, tobacco and other drug use are discussed in counseling and educational groups. All Juvenile Diversion cases are closely monitored through contact with the counseling agency, community service site supervisor and the juvenile and family. If the juvenile successfully completes the Program, the District Attorney does not prosecute the case, and there is no court record of the offense. Juveniles who fail to complete the Program successfully are prosecuted.



# August 2008

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# Open Meeting Law

The Open Meeting Law, Massachusetts General Laws, Chapter 39, Sec. 23B was developed from the principle that the democratic process depends on the public having knowledge of the considerations upon which governmental action is based. The Open Meeting Law and related statutes are intended to eliminate much of the secrecy surrounding deliberations and decisions on which public policy is based. At its most basic level, the Open Meeting Law requires, with limited exceptions, governmental bodies to do its business in public.

The Essex District Attorney's Office is responsible for investigating and addressing violations of this law in the 34 cities and towns in Essex County. In addition, the District Attorney's Office is available to answer questions about the law and to provide training to local elected officials.

Upon receiving a complaint, this Office will determine if a violation has occurred. In addition, this Office will offer its opinion in advance concerning a specific procedure that a governmental body may use.



# September 2008

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# Prevention Programs

The District Attorney's Office offers a variety of programs and information to help citizens understand specific crimes-related issues with the goal of helping them prevent a crime. Many of these programs address underage drinking and substance abuse since that is a big source of juvenile crime. Often when juveniles commit crimes – other than possession of alcohol or drugs – it is because they are under the influence of alcohol or drugs. Some of the programs are:

*Choose to Refuse: A Heroin and OxyContin Prevention Education Program* and *Choose 2 Refuse: A Heroin and OxyContin Prevention Education Presentation*. These programs are available to schools, faith communities, scouting programs, and youth agencies. They provide young people with the facts about heroin and OxyContin, decision-making skills and refusal methods.

*Don't Give Kids Alcohol* is a brochure that provides adults with specific information about the legal consequences of hosting a party or providing alcohol to minors.

*Teen Dating Violence* is a brochure that details signs of an abusive relationship and resources for help.

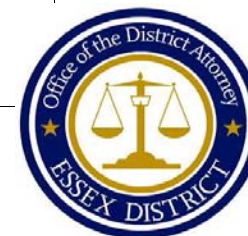
*Stop Bullying Before It Starts: A Kids-to-Kids Prevention Project* is a program designed to educate middle school students about the consequences of bullying and engage them in developing effective bullying prevention messages for younger elementary aged students.



# October 2008

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# State Police Detective Unit

The Massachusetts State Police Detective Unit assigned to the Essex District Attorney's Office is comprised of the Essex Detective Unit and the Essex Narcotics Unit. The primary responsibility of the State Police Detective Unit is to investigate all sudden and unattended deaths, as well as all homicides, that take place in the Essex District. The Unit also investigates cases of child sexual and physical abuse, sexual assault, kidnapping, missing persons and white-collar crimes. The Unit works with law enforcement from local cities and towns as well as numerous federal agencies.

*The Essex Narcotics Unit* works closely with local law enforcement through the Lynn Drug Task Force and the Lawrence Drug Task Force. The Narcotics Unit is a proactive unit that investigates the manufacturing, distribution and use of illegal drugs.

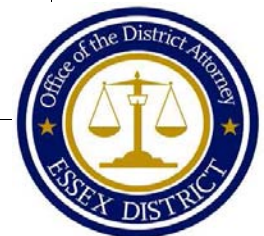
*The Computer Facilitated Crimes Unit (CFCU)*, one of the first such units established in Massachusetts, retrieves and analyzes information from computers that may be evidence in criminal cases. In many cases, criminals use the computer to commit a crime or to transmit information related to the crime. In these instances, this information can be retrieved from the computer and used as evidence. Most of the cases investigated by the CFCU involve child pornography, identity theft, sexual assaults, child enticement.

The Unit provides investigative and technical support to all Essex County police departments and is involved in the Essex County Computer Crime Working Group.



# November 2008

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# Victim Witness Services

The overall mission of the Essex District Attorney's Victim Witness Services Division is to provide information, assistance, support and services to crime victims, their family members and witnesses in compliance with the Victim Rights Law, M.G.L., c. 258B. The Division has been in existence since 1979 and employs 28 victim witness advocates (advocates), including the director and deputy director. In many cases, advocates provide crisis intervention services, court accompaniment, and referrals for counseling and victim compensation. Advocates also provide information about Victim Impact Statements and post conviction services.

The Essex District Attorney's Office prosecutes approximately 32,000 cases annually. In 2006, the Division provided services in more than 10,000 new court cases and closed approximately 9,500 cases, serving more than 16,800 victims and witnesses. This number does not include services provided when victims 'walk-in' or call for assistance, and in cases when a criminal complaint is not issued. Advocates are located in the eight district courts, three separate juvenile courts and the District Attorney's main office. Through vertical prosecution, the advocates follow felony cases to assigned superior court sessions. Specialized services are provided to victims of domestic violence, child abuse and juvenile offenders.



The Victim Rights Law, M.G.L. c. 258B, provides certain rights to victims, their family members and witnesses. If you are involved in the prosecution of a criminal case, it is particularly important to know and understand your rights. Victim witness advocates are located in each court and are available to help you understand your rights. Always be sure to provide the advocate or the prosecutor with your most current address and telephone number.



# December 2008

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